

Notice of Allowability

Application No.

09/681,574

Examiner

KUEN S. LU

Applicant(s)

FUSELIER ET AL.

Art Unit

2169

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/15/2008 and 07/30/2008.
2. ☒ The allowed claim(s) is/are 1, 3-6, 36-49, 95, 97-100 and 130 (renumbered to 1-25).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/12/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/8/2008
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Kuen S Lu/
Primary Examiner, Art Unit 2169

DETAILED ACTION

1. The Action is responsive to Applicants' Amendment filed July 30, 2008. It is acknowledged that the claims 1, 36, 95 and 130 were amended, and claim 162 was added.

2. After a thorough search and examination of the present application, and in light of the following:

prior art made of record;

Examiner's Amendments made October 8, 2008 which was authorized to cancel claim 162; and

An earlier updated search on prior art conducted in domains (EAST, NPL-ACM, Google, NPL-IEEE, etc);

Claims 1, 3-6, 36-49, 95, 97-100 and 130 (renumbered to 1-25) are allowed.

Examiner's Amendments

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this Examiner's Amendments, listed below was given on October 8, 2008 in a telephone interview with Mr. William J. Zyclewicz, Registration Number 51,366.

4.1. Please amend claim 162 as follows:

162. (Canceled).

Reason for Allowable

5. The following is the Examiner's statement of reasons for allowance:

In the Examiner's Office Actions, the Final Rejection dated September 12, 2007 and non-final rejection of April 30, 2008, under 35 U.S.C. § 103 rejections were made mainly based on the reference of Salam et al.: "SYSTEMS AND METHODS FOR CONTINUOUSLY ACCUMULATING RESEARCH IN FORMATION VIA A COMPUTER NETWORK", U.S. Patent 6,594,654, filed 3/3/2000 and issued 7/15/2003, hereafter "Salam"; and further in view of Kraft et al.: "PERSONALIZED PROFILE BASED ADVERTISING SYSTEM AND METHOD WITH INTEGRATION OF PHYSICAL LOCATION USING GPS", U.S. Patent Application 2002/0091568, filed 1/10/2001 and published 7/11/2002, hereafter "Kraft".

In a responses filed to the Office Actions, Applicant argued that neither Salam nor Kraft, considered alone or in combination, describe or suggest a method for providing context sensitive information, as recited in claim 1. More specifically, neither Salam nor Kraft, considered alone or in combination, describe or suggest a method including obtaining a location of a user within a facility, wherein the location of the user is related to the user's duties within a business operation. Further, Salam does not describe or suggest creating a context sensitive subset of query information based on user information and a location of a user within a facility, wherein the query information is

related to the user's duties within the business operation. Rather, Salam describes a system and method for accumulating and displaying information items obtained via a computer network, and Kraft describes advertisement that is based on a geographical location of a user.

Based on the argument on the subject matter of providing content sensitive information by **"obtaining a location of the user within a facility, the location of the user related to the user's duties within the business operation; creating a context sensitive subset of the query information based on the user information and the location of the user within the facility, the query information related to the user's duties within the business operation; transmitting at least one of the context sensitive subset query information to the user; and notifying the user if the alarm criteria is met"**, the high-lighted subject matter is a feature distinguishes from Salam and Kraft's teaching as cited for the 35 U.S.C 103 rejections.

Based on the subject matter as amended and incorporated, Examiner is persuaded that the cited reference does not fairly teach or suggest the subject matter described by the combined limitations as highlighted above and further detailed in each of the independent claims 1, 36, 47, 95 and 130..

A recently update search on prior art in domains (EAST, NPL-ACM, Google, NPL-IEEE, etc) has been conducted. The prior art searched and investigated in the domains (EAST, NPL-ACM, Google, NPL-IEEE, etc) do not fairly teach or suggest teaching of the subject matter as described by the combined limitations as highlighted above and further detailed in the Examiner's Amendment in each of the independent claims 1, 36, 47, 95 and 130.

Claims in the groups (3-6), (37-39) and (97-100) are directly or indirectly dependent upon the independent claims 1, 36, 47 and 95, respectively, and are also distinct from the prior arts for the same reason.

After a search and a thorough examination of the present Application and in light of the prior art, Claims 1, 3-6, 36-49, 95, 97-100 and 130 (renumbered to 1-25) are allowed.

Conclusions

6. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Contact Information

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to KUEN S. LU whose telephone number is (571)-272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).

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If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, Pierre Vital can be reached on (571)-272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KUEN S. LU /Kuen S Lu/

Art Unit 2169

Primary Patent Examiner

November 12, 2008